

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CORNHUSKER ENERGY LEXINGTON,)	
LLC, a Nevada Limited-Liability)	
Company,)	8:04CV586
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
PROSPECT STREET VENTURES,)	
)	
Defendant.)	

This matter is before the court on the defendant's Motion to Dismiss (filing no. 7) the plaintiff's Complaint. After the defendant filed its Motion to Dismiss, however, the plaintiff was granted leave to file an Amended Complaint. The plaintiff has now filed its Amended Complaint. See Filing No. 24. Accordingly, the defendant's Motion to Dismiss is now moot.

IT IS THEREFORE ORDERED that defendant's Motion to Dismiss (filing no. 7) is denied as moot.

DATED this 15th day of August, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge